IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Norio KURITA et al.

No.: 10/582332

Filed: June 29, 2009

For LASER PROCESSING DEVICE

DECLARATION AND VERIFIED TRANSLATION

Hon. Commissioner of Patents and Trademarks Washington, D. C. 20231

Sir:

I, Ken-ichi SHIBAYAMA, Japanese Patent Attorney registration No. 14044 with a business office at Ginza First Bldg., 10-6, Ginza 1-chome, Chuo-ku, Tokyo 104-006I Japan, hereby declare and state that:

I am thoroughly conversant with both the Japanese and English languages; and that the attached document represents a true and accurate English translation of the Notice of Reasons for Rejection issued on April 4, 2005 against Japanese Patent Application (JP2003-415142) filed to the Japanese Patent office on December 12, 2003.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this _	29 th	day of	June	, 2009
Signature:	(Ilm E		
Name:		Ken-ichi S	SHIBAYAMA	

Reference Number:

2003-0532

Dispatch Number:

110956

Dispatch Date:

April 4, 2005

NOTICE OF REASONS FOR REJECTION

Patent Application No.:

P2003-415142

Drafting Date:

March 23, 2005

Examiner of JPO:

KATO Masato

9257 3P00

Representative:

HASEGAWA Yoshiki, et al.

Applied Provisions:

Article 29(2)

This application should be rejected for the reasons stated below. If the applicant has any argument against the reasons, such argument should be submitted within 60 days from the date on which this notice was dispatched.

Reason

The invention(s) claimed in claim(s) listed below of the application should not be granted a patent under the provision of Patent Law Article 29(2) since it could have easily been made by those having ordinary knowledge in the technical field to which the invention(s) belongs, on the basis of the invention(s) described in the publication(s) listed below which was distributed in Japan or foreign countries prior to the filing of the application or the invention(s) which was available to the public through a telecommunication line prior to the filing of the application.

Note (refer to List of References)

- Claims 1-2
- Reference 1-2
- Remarks

Cited reference 1 describes a micro laser assembly wherein standing part 46 is disposed on top of heatsink 28, and wherein micro oscillator 11 comprised of YAG rods, etc, and electro-optic component 36, etc are disposed on said standing part 46 by connector 48.

Cited reference 2 describes a configuration of the retaining structure of a laser oscillator to bas 8 wherein an appropriate optical path for laser beam is secured even when

heat deformation occurs or when shaken during transportation.

It is considered that a person skilled in the art could easily have arrived at adopting the configuration described in Cited reference 2 of securing appropriate optical paths for laser beams to the invention disclosed in Cited reference 1.

- Claims 3
- Reference 1-3
- Remarks

For Cited references 1-2, refer to remarks in Claims 1-2.

Cited reference 3 is a document that the applicant disclosed in the specification which describes the configuration of a laser processing device comprising a beam expander, a subject observation optical system and a processing objective lens and it is considered that a person skilled in the art could easily have adopted this configuration.

<Suggestion on amendment>

- 1) The amendment should be made within the range of the matters described in the specification or drawings as originally filed as well as the matters which would be obvious from the specification or drawings as originally filed.
- Please ensure that the description of the scope of claims and the detailed description of the invention are consistent. (For example, in such a case where a working example at the time of the original filing is changed to a reference example by amendment of the scope of claims.)
- 3) Upon amendment, the implemented modifications should be underlined (Patent Law Regulations Form 13 Remarks 6), and the applicant is requested to allege in the written argument the reasons that each modification implemented by the amendment is legal by clearly pointing out the corresponding disclosure of the specification and the like as originally filed, which provides the basis of such modification. (Regarding the description form of the written argument, refer to the description form of a demand for correction in the appeal for invalidation).

List of References

- 1. JP 2002-118319 A
- 2. JP 2003-158315 A
- 3. JP 05-245675 A

Technical Fields Searched:
IPC 7th Edition B23K26/00-26/42
DB name

• Prior Art Documents:

JP 04-244910 A (Laser processing device with an observation optical system which detects height by semiconductor laser beam reflected by processing specimen.)

JP 2000-84688 A

(Controls collector optics, etc, based on results detecting the difference from the predetermined location of the focal point.)

JP 2003-225786 A

(Structure which maintains a removable base and unit.)

This record is not a component of the reasons for rejection.

Any inquiry concerning the contents of this notice of reasons for rejection should be directed to:

Examiner of 2nd Patent Examination Department: Non-conventional Machining KATO Masato

Telephone: 03-3581-1101 Extension 3362-4

整理番号 2003-0532 発送番号 110956

発送日 平成17年 4月 4日

拒絶理由通知書

特許出願の番号 起案日 特許庁審査官 特許出願人代理人 適用条文 特願2003-415142 平成17年 3月23日 加藤 昌人 9257 3P00 長谷川 芳樹(外 2名) 様 第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において 頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用 可能となった発明に基いて、その出願前にその発明の属する技術の分野における 通常の知識を有する者が容易に発明をすることができたものであるから、特許法 第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

·請求項:1~2

引用文献等:1~2

- 備考

第1引用例にはヒートシンク28上に起立部46を配置し、その起立部46に、コネクタ48で、YAGロッド等からなるマイクロ共振器11、電気光学構成要素36等を配置するマイクロレーザアセンブリが記載されている。

第2引用例には、レーザ発振器のベース8への保持構造に関し、 熱変形や運搬時に振動等が生じても、レーザ光の光路を適正に確保する構成が記載されている。

第1引用例記載の発明に、レーザ光の光路を適正に確保する第2引用例記載の 構成を採用することは、当業者が容易に想到し得たものと認められる。

·請求項:3

·引用文献等:1~3

・備考

第1~2引用例については、請求項1~2の備考欄を参照のこと。

第3引用例は、出願人が明細書中で開示した文献であるが、ビームエキスパンダ、加工対象物観察光学系、加工物用対物レンズ有するレーザ加工装置の構成が記載されており、この構成を採用することは、当業者が容易になし得たものと認められる。

なお、

- (1)補正は、この出願の出願当初の明細書又は図面に記載した事項のほか、出願当初の明細書又は図面に記載した事項から自明な事項の範囲内で行わなければならない。
- (2)特許請求の範囲の記載と発明の詳細な説明とは、整合性が取れるように注意すること(例えば、特許請求の範囲の補正によって、出願当初は実施例であった記載が参考例になった場合など)。
- (3)補正の際には、補正箇所に下線を引き(特許法施行規則様式第13備考6)、意見書で、各補正事項について補正が適法なものである理由を、根拠となる出願当初の明細書等の記載箇所を明確に示したうえで主張されたい(意見書の記載形式は、無効審判における訂正請求書の記載形式を参考にされたい)。

引用文献等一覧

1. 特開2002-118319号公報

2. 特開2003-158315号公報 3. 特開平05-245675号公報

先行技術文献調査結果の記録

IPC第7版 B23K26/00-26/42 ・調査した分野

• 先行技術文献

特開平4-244910号公報(加工試料で反射された半導体レーザ光によって 高さを検出する、観察光学系を有するレーザ加工装置)

特開2000-84688号公報 (焦点の所定位置からのずれを検知した結果に基づき、集光系等を制御)

特開2003-225786号公報 (基台とユニットとを着脱自在に保持する機構)

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

・この拒絶理由についての問合先 特許審査第二部 特殊加工 加藤昌人 TEL:03-3581-1101 (内線 3362-4)